



THE LONDON BOROUGH  
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DATE: 30 November 2020

## LEADERS DECISIONS – NOVEMBER 2020

The following decisions were made by the Leader of the Council following scrutiny by PDS Committees and in consultation with other members of the Executive.

***Copies of the documents referred to above can be obtained from***  
***<http://cds.bromley.gov.uk/>***

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## LONDON BOROUGH OF BROMLEY

### STATEMENT OF EXECUTIVE DECISION

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

#### **BUDGET MONITORING 2020/21**

Report: [1. Budget Monitoring 2020/21](#)

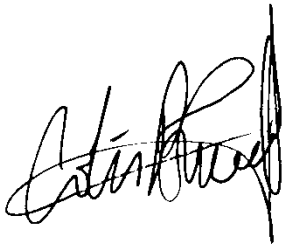
#### **Decision:**

- (1) The latest financial position be noted.**
- (2) The projected net overspend on services of £1,538k forecast based on information as at September 2020 be noted.**
- (3) The comments from Chief Officers detailed in Appendix 2 to the report be noted.**
- (4) The projected reduction to the General Fund balance of £83k as detailed in section 3.3 of the report be noted.**
- (5) The full year cost pressures of £6.4m as detailed in section 3.4 of the report be noted.**
- (6) The release of £200k from the 2020/21 Central Contingency relating to Staff Merit Awards as detailed in paragraph 3.2.2 of the report be agreed.**
- (7) The release of £125k from the 2020/21 Central Contingency relating to TFM Posts as detailed in paragraph 3.2.3 of the report be agreed.**
- (8) The release of £52k from the 2020/21 Central Contingency relating to PrEP Grant as detailed in paragraph 3.2.4 be agreed.**
- (9) The release of £520k from earmarked reserves to fund community equipment as detailed in paragraph 3.9.1 of the report be agreed.**
- (10) The latest estimated financial impact of Covid-19 situation, detailed in Section 4 of the report, and the ongoing financial uncertainty position relating to net costs and the current shortfall in Government funding be noted.**
- (11) The estimated financial impact of the Covid-19 situation which needs to be treated with some caution at this stage because of the ongoing uncertainty arising from the impact moving out of 'lockdown' to transition and ultimately the 'new normal' be noted.**

#### **Reasons:**

The report set out the second budget monitoring position for 2020/21 based on expenditure and activity levels up to the end of September 2020 highlighting any significant variations that would impact on future years' budgets and early warnings that could impact on the current year end position. The report also identified the latest indications of the financial impact of the Covid-19 situation which needed to be treated with some caution due to the ongoing uncertainty.

The proposed decision was considered by Executive, Resources and Contracts PDS Committee at a virtual meeting on 18<sup>th</sup> November 2020 and the Committee supported the proposals.



Councillor Colin Smith  
Leader of the Council

**Mark Bowen**  
**Director of Corporate Services**  
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**Stockwell Close**  
**Bromley BR1 3UH**

**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20053

**LONDON BOROUGH OF BROMLEY**  
**STATEMENT OF EXECUTIVE DECISION**

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

**CAPITAL PROGRAMME MONITORING 2<sup>ND</sup> QUARTER 2020/21**

Report: [2. Capital Programme Monitoring 2nd Quarter 2020/21](#)

**Decision:**

- (1) The contents of the report be noted, including a total re-phasing of £1,817k from 2020/21 into future years, and a revised Capital Programme be agreed.**
- (2) The following amendments to the Capital Programme be agreed:**
  - (i) An increase of £174k to the Capital Maintenance Budget (paragraph 3.3.1 of the report)**
  - (ii) An increase of £175k to fund the purchase of a new Property Management System (paragraph 3.3.2 of the report.)**
  - (iii) An increase of £41k in relation to the Emergency Travel Fund (paragraph 3.3.3 of the report.)**
  - (iv) A reduction of £623k due to the loss of TfL grant funding (paragraph 3.3.4 of the report.)**
  - (v) A reduction of £57k to the Devolved Formula Capital budget (paragraph 3.3.5 to the report.)**

**Reasons:**

The report set out the current position on capital expenditure and receipts as at the end of Q2, 2020/21.

The proposed decision was considered by Executive, Resources and Contracts PDS Committee at a virtual meeting on 18<sup>th</sup> November 2020 and the Committee supported the proposals.



Councillor Colin Smith  
Leader of the Council

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**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20054

**LONDON BOROUGH OF BROMLEY**  
**STATEMENT OF EXECUTIVE DECISION**

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

**COUNCIL TAX SUPPORT/REDUCTIONS SCHEME 2021/22**

Report: [3. Council Tax Support/Reduction Scheme 2021/22](#)

**Decision:**

- (1) The updated Impact Assessment (appendix 1 to the report) be noted.**
- (2) The responses to the public consultation exercise (appendices 2 and 3 to the report) be noted.**
- (3) That the Council Tax Support/Reduction scheme for 2021/22 retains the calculation of entitlement for working-age claimants on 75% of the household's Council tax liability; thereby the maximum assistance provided to a claimant of working-age is 75% of his/her Council Tax liability.**
- (4) The Council Tax Support/Reduction scheme for 2021/22 be recommended to Council for approval.**

**Reasons:**

In July 2020 the Resources, Commissioning and Contract Management Portfolio Holder agreed that public consultation should be carried out on the Council Tax Support/Reduction scheme continuing to be based on 75% of the household's Council Tax liability. The report set out the results of public consultation, with 79% of respondents confirming a preference to keep the minimum contribution at 25%.

The proposed decision was considered by Executive, Resources and Contracts PDS Committee at a virtual meeting on 18<sup>th</sup> November 2020 and the Committee supported



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**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20055

**LONDON BOROUGH OF BROMLEY**  
**STATEMENT OF EXECUTIVE DECISION**

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

**REVIEW OF LEGAL SERVICES CHILDREN AND ADULTS TEAM**

Report: [5. Review of Legal Services Children and Adults Team](#)

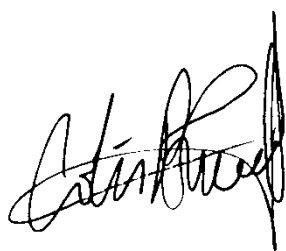
**Decision:**

- (1) The creation of 2 FTE permanent lawyer posts to support childcare work (£63k) and adult social care (£85k) be agreed.
- (2) Funding of £35k to fund a 0.5 FTE Education lawyer post be agreed.
- (3) The Legal revenue budget be increased from April 2021 by £183k to fund these additional legal posts.
- (4) A sum of £61k be drawn down from Central Contingency in 2020/21 to fund the part year cost of these posts from 1<sup>st</sup> December 2020.
- (5) A sum of £170k, held in Central Contingency for potential locum costs for additional childcare and adults social care legal support, to be drawn down when required by the Director of Corporate Services in consultation with the Portfolio Holder for Resources, Commissioning and Contract Management and the Portfolio Holders for Adult Care and Health or Children, Education and Families as applicable.

**Reasons:**

The report followed a review of the services provided by the Children and Adults legal team, the budget for the service, current demand levels and resourcing requirements going forward.

The proposed decision was considered by Executive, Resources and Contracts PDS Committee at a virtual meeting on 18<sup>th</sup> November 2020 and the Committee supported



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**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20057

**LONDON BOROUGH OF BROMLEY**  
**STATEMENT OF EXECUTIVE DECISION**

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

**COVID19: PROCUREMENT IMPLICATIONS**

Report: [6. Covid-19 Procurement Implications](#)

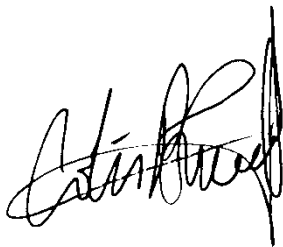
**Decision:**

- (1) Delegated authority be granted to Chief Officers to take appropriate procurement action (as set out in paragraphs 3.14 to 3.19 to the report) as required to effectively manage contracts during the period of disruption caused by the current and ongoing Public Health measures.**
- (2) The delegated authority to Chief Officers to take appropriate procurement action is subject to agreement with the Assistant Director Governance & Contracts, the Director of Corporate Services, the Director of Finance and the relevant Portfolio Holder where otherwise a procurement action would normally require a formal decision from the Portfolio Holder or Executive.**
- (3) The delegated authority to Chief Officers to take appropriate procurement action is in place for period of up to six months from 1 December 2020 following which it may be extended for a further period at the discretion of Executive or through the Leader.**

**Reasons:**

On April 24 2020, the Leader granted delegated authority to Chief Officers (in agreement with the Portfolio Holder as required), for a period of six months, to take suitable alternative procurement action to manage contracts in response to disruption caused by the current and ongoing Covid-19 Public Health measures. The ongoing Covid-19 pandemic and associated Public Health measures continue to cause disruption, capacity and sustainability issues for Council staff, providers and the wider market. There is a continued risk that this may adversely affect the Council's ability to undertake successful procurement processes for current or new contracts where a suitably compliant tender process would normally be required.

The proposed decision was considered by Executive, Resources and Contracts PDS Committee at a virtual meeting on 18<sup>th</sup> November 2020 and the Committee supported the proposals, subject to proposing that the delegation should be for up to six months and subject to the review of decision making arrangements due to be conducted at the end of the year.



Councillor Colin Smith  
Leader of the Council



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**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20058

**LONDON BOROUGH OF BROMLEY**  
**STATEMENT OF EXECUTIVE DECISION**

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

**MORE HOMES BROMLEY: DISCHARGING DUTY**

Report: [7. More Homes Bromley - Discharging Duty](#)

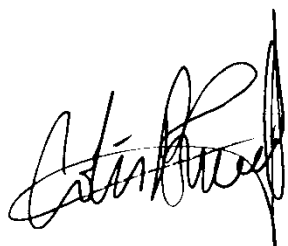
**Decision:**

**The proposal from the Board of More Homes Bromley for the Council to allow properties held under the More Homes Bromley scheme to be provided in discharge of the Council's statutory homelessness duties to provide suitable settled accommodation for these households, and to increase the rent levels, be approved.**

**Reasons:**

The More Homes Bromley scheme provides for the acquisition and management of up to 400 properties for homeless Bromley residents. Changing the scheme will enable the Council to discharge its homelessness duties by offering some tenancies on an assured shorthold basis and to change the rent levels for these properties. This will provide households with more settled accommodation and limit the risk of having to pay higher fees to a new maintenance provider.

The proposed decision was considered by Renewal, Recreation and Housing PDS Committee at a virtual meeting on 9<sup>th</sup> November 2020 and the Committee supported the proposals.



Councillor Colin Smith  
Leader of the Council

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**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20059

**LONDON BOROUGH OF BROMLEY**  
**STATEMENT OF EXECUTIVE DECISION**

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

**HOUSING FINANCES**

Report: [8. Housing Finances](#)

(Additional details are set out in a part 2 report.)

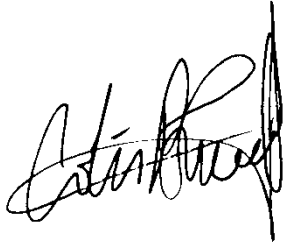
**Decision:**

- (1) The utilisation of £1,256k Section 106 contributions be approved for the three housing schemes.**
- (2) The rent levels of the three housing schemes be approved at London Affordable Rent (LAR) levels to support the GLA Building Homes for Londoners Grant.**
- (3) Authority be delegated to the Director of Housing, Planning and Regeneration in consultation with the Director of Corporate Services and the Director of Finance at the relevant time to appropriate each site from planning purposes to housing purposes to be accounted for within the Council's Housing Revenue Account.**
- (4) Council be recommended to approve a supplementary estimate of £1,764k to the Capital Programme for these three schemes.**
- (5) Council be recommended to approve the revised financing of the schemes as set out in paragraph 10.7 of the report, including an internal loan from the General Fund to the Housing Revenue Account of £7,453k.**
- (6) Authority be delegated to the Director of Housing, Planning and Regeneration in consultation with the Director of Finance to apply for GLA grant funding under the Building Council Homes for Londoners Programme and to enter into grant agreement with the Greater London Authority.**

**Reasons:**

A review has been carried out into the finances of the three housing schemes currently being developed by the Council at Brindley Way, Burnt Ash Lane, Bushell Way, Chislehurst and Anerley Town Hall overflow car park. As the Council has now established a Housing Revenue Account, GLA grants for developing affordable housing can be utilised which will have an impact on the rent levels to be charged.

The proposed decision was considered by Renewal, Recreation and Housing PDS Committee at a virtual meeting on 9<sup>th</sup> November 2020 and the Committee supported the proposals.



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Leader of the Council

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**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20060

**LONDON BOROUGH OF BROMLEY**  
**STATEMENT OF EXECUTIVE DECISION**

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

**CHILDREN'S COMMUNITY WELLBEING (CAMHS) CONTRACT AWARD**

Report: [9. Children's Community Wellbeing \(CAMHS\) Contract Award Part1 Report](#)

(Additional details are set out in a part 2 report.)

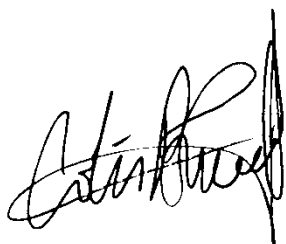
**Decision:**

**The Contract for the provision of the Bromley CYP Mental Health and Wellbeing Service be awarded as detailed in the Part 2 Report; the proposed contract will commence on 1<sup>st</sup> April 2021 for a five-year period with the option to exercise two possible extension periods not exceeding 4 years (2 years + 2 years).**

**Reasons:**

The children's community wellbeing service is an important statutory service which promotes and supports the mental health and wellbeing of children. The existing contract with Bromley Y has reached the maximum number of extensions, necessitating the procurement of a new service to start on 1<sup>st</sup> April 2021. A tendering process has been carried out to select the most suitable provider.

The proposed decision was considered by Children, Education and Families PDS Committee at a virtual meeting on 10<sup>th</sup> November 2020 and the Committee supported the proposals.



Councillor Colin Smith  
Leader of the Council

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**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20061

**LONDON BOROUGH OF BROMLEY**  
**STATEMENT OF EXECUTIVE DECISION**

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

**FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND  
PROCUREMENT STRATEGY OF A REPLACEMENT FINANCIAL SYSTEM**

Report: [10. Formal Consultation on Outline Service Proposals and Procurement of a Replacement Financial System Part 1 Report](#)

(Additional details are set out in a part 2 report)

**Decision:**

**(1) A variation to the BT contract to include the procurement of Oracle's Cloud Enterprise Resource Planning system for Finance and Procurement functions for a period of five years with the option to extend for a further five years on an annual renewal basis be agreed.**

**(2) Authority be delegated to the Director of Finance to agree the annual renewal of the Oracle Cloud Enterprise Resource System after year 5 in consultation with the Portfolio Holder for Resources, Commissioning and Contract Management.**

**(3) It is noted that the capital scheme budget will be reduced by £200k to reflect the current projected costs of implementing the system.**

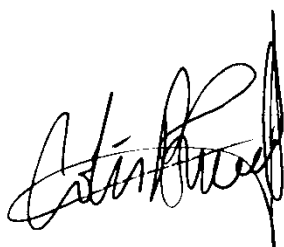
**(4) It is noted that a report will be presented to Members for approval of a replacement HR/Payroll system during 2021.**

**Reasons:**

As part of the IT Transformation programme, it has been recommended that reviews be carried out of line of business systems to ensure that they are supportable, fit for purpose and future-proofed. Oracle has been used as the Council's main financial system since 1998 and was most recently upgraded in 2013. The Council also has separate budget monitoring systems which were developed in-house in 2009 and present a risk if compatibility issues arise with future changes required by corporate Microsoft products, as well as from loss of support. To ensure that the Council has a fit for purpose system to meet current and future needs it is proposed to procure a replacement Oracle system.

The proposed decision was considered by Executive, Resources and Contracts PDS Committee at a virtual meeting on 18<sup>th</sup> November 2020 and the Committee supported the proposals.

The decision is now urgent as the quote from Oracle and BT's current arrangement with Oracle are due to expire on 30<sup>th</sup> November 2020 and any delay to varying the contract might prejudice the Council's interests.



Councillor Colin Smith  
Leader of the Council

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**Date of Decision:** 30 November 2020  
**Implementation Date:** 30 November 2020  
**Decision Reference:** Exec 20062

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## LONDON BOROUGH OF BROMLEY

### STATEMENT OF EXECUTIVE DECISION

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

#### **AWARD REPORT – DIRECT PAYMENTS SUPPORT AND PAYROLL SERVICE CONTRACT**

Report: [11. Award Report - Direct Payments Support and Payroll Service Contract Part 1 Report](#) (Further detail in a Part 2 report.)

#### **Decision:**

**(1) The contract for the Direct Payments Support and Payroll Service be awarded as per the recommendation in the accompanying Part 2 report; the contract will commence from 8 April 2021 for a period of 5 years with an option to extend for up to two years on a one plus one basis.**

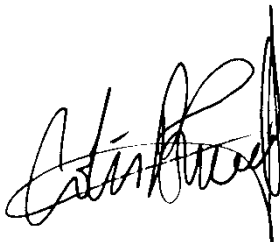
**(2) A decision on whether to delegate authority to the Director of Adult Services to approve the extension options, subject to agreement with the Adult Care and Health Portfolio Holder and relevant Officers as determined by the Contract Procedure Rules, be deferred to enable investigation into the circumstances under which such authority is routinely delegated to officers.**

#### **Reasons:**

The existing contract for the Direct Payments Support and Payroll Service expires on 7 April 2021. Permission to tender was approved by the Executive on 18 September 2019 and the service has been exposed to competition via an OJEU compliant tender.

The report includes all of the information regarding the service and tender that are not considered to be 'commercially sensitive' – further details are included in the Part 2 report.

The proposed decision was considered by Adult Care and Health PDS Committee at a virtual meeting on 24<sup>th</sup> November 2020 and the Committee supported the proposals. However, the Committee recommended that a decision on whether to delegate authority to extend the contract be deferred to enable investigation into the circumstances under which such authority is routinely delegated to officers, and requested a report to its next meeting in January 2021.



Councillor Colin Smith  
Leader of the Council

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**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20063

**LONDON BOROUGH OF BROMLEY**  
**STATEMENT OF EXECUTIVE DECISION**

The Leader of the Council, Councillor Colin Smith, has made the following executive decision:

**LEARNING DISABILITY COMMUNITY PROVISION GATEWAY**

Report: [LD Community Provision Gateway Report](#)

**Decision:**

- (1) The position in relation to learning disability community services be noted.**
- (2) The proposed move to spot procurement and direct payments for people requiring day activities who are not dependent upon building-based provision from April 2021 be approved.**
- (3) The immediate commencement be approved of tendering in relation to the learning disability day service for people with complex needs requiring a building-based service to ensure the minimum possible interruption in service from April 2021, for a proposed three year contract with the option to extend for up to a further two years at an estimated value of £800k per annum (estimated whole life value of £4m), be approved.**
- (4) In accordance with 13.1 of the Council's Contract Procedure Rules, the progression of a direct negotiated contract award process to enable the uninterrupted provision of respite services and proposed service changes at 118 Widmore Road with an estimated contract value of £562k per annum be approved.**

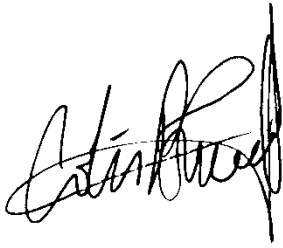
**Reasons:**

The Council has a contract in place with the Southside Partnership (also known as Certitude) to provide learning disability supported living and community-based day and respite services. Executive approval was obtained in November 2019 to extend the contract for a period of up to 2 years from 1 October 2020 to 30 September 2022. The Council was unable to reach mutual terms to extend the contract as originally intended and subsequent negotiation has resulted in a 6-month extension of the contract to 31 March 2021.

A Gateway report seeking agreement to the commencement of a procurement process in relation to the supported living element of the Southside contract was approved in September 2020 and this service is currently out to tender. In parallel with this, work has progressed to determine options in relation to learning disability community day and respite services. The current contract value of the day and respite elements is approximately £1.74m and £0.56m pa respectively.

The report advises on the outcomes of the work to determine future models for learning disability day and respite provision and seeks approval to commence procurement to ensure continuity of service provision in relation to respite and to minimise service interruption in relation to day services.

The proposed decision was considered by Adult Care and Health PDS Committee at a virtual meeting on 24<sup>th</sup> November 2020 and the Committee supported the proposals.

A handwritten signature in black ink, appearing to read 'Colin Smith', with a stylized, looped design.

Councillor Colin Smith  
Leader of the Council

**Mark Bowen**  
**Director of Corporate Services**  
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**Date of Decision:** 30 November 2020  
**Implementation Date:** 7 December 2020  
**Decision Reference:** Exec 20064